

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Consumer Financial Protection Bureau,

Plaintiff,

v.

Navient Corporation, *et al.*,

Defendants.

Case No. 3:17-CV-00101-RDM
(Hon. Robert D. Mariani)

Electronically Filed

**PLAINTIFF'S MOTION *IN LIMINE* TO PRECLUDE EVIDENCE FROM
OUTSIDE THE RELEVANT TIME PERIOD FOR THIS LITIGATION, OR
ALTERNATIVELY, PLAINTIFF'S MOTION TO MODIFY THE SPECIAL
MASTER'S ORDER DENYING PRODUCTION OF DATA POST-DATING
THE RELEVANT TIME PERIOD FOR THIS LITIGATION**

Pursuant to Local Rules 7.1 and 7.5, the Bureau respectfully moves *in limine* to preclude the use of evidence outside the relevant time period for this litigation, as set forth in the Court's May 4, 2018 Opinion and Order. *See* Doc. 88, at 21; Doc. 89, at ¶ 6.

In the alternative, the Bureau respectfully moves, pursuant to Federal Rule of Civil Procedure 53(f)(2) and the Court's January 16, 2019 Order (Doc. 158, at ¶ 5), to modify the December 20, 2019 Special Master Order denying the production of borrower data post-dating the relevant time period in this litigation. *See* Doc. 386, at ¶ 3.

A proposed order is being filed with this motion.

Dated: January 10, 2020

Respectfully submitted,

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Acting Enforcement Director

David Rubenstein
Deputy Enforcement Director

Thomas Kim
Assistant Deputy Enforcement Director

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Attorneys for Plaintiff

CERTIFICATE OF CONCURRENCE

Pursuant to Local Rule 7.1, I certify that I attempted to confer with counsel for Defendants regarding this motion. Because Defendants' counsel was inadvertently not contacted until the day of filing just before 6 P.M., Defendants' counsel responded to indicate that they were not available to confer to provide a position on this motion until the week of January 13, 2020.

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CERTIFICATE OF SERVICE

I certify that, on January 10, 2020, I filed the foregoing document using the Court's ECF system, which will send notification of such filing to counsel for Defendants.

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